

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:18-cr-10-RLY-MPB
	)	
KARLON T. COLE,	)	
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

On February 18, 2021, the Court held a final hearing on the Petition for Warrant for Offender Under Supervision filed September 16, 2021. [Dkt.85]. Defendant Karlton T. Cole ("Defendant") appeared in person with appointed counsel Erin Berger. The government appeared by Todd Shellenbarger, Assistant United States Attorney. U. S. Probation and Parole was represented by Officer Andrea Hilgoth.

This matter was referred to the Magistrate Judge to conduct a hearing and make a report and recommendation as to disposition. [Dkt. 90]. The Defendant was advised that the District Judge is not bound to accept the Report and Recommendation.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court conducted an initial hearing and Defendant was advised of his rights and provided a copy of the petition. [Dkt. 85].
2. Defendant orally waived his right to a preliminary hearing.

3. After being placed under oath, Defendant Cole admitted violations No.3 and 4.  
[Dkt. 85].

4. The allegations to which Defendant Cole admitted, as fully set forth in the petition, are:

**Violation**

**Number**

**Nature of Noncompliance**

3. **"The defendant shall not commit another federal state or local crime."**  
4. **"You shall notify the probation officer within 72 hours of being arrested, charged, or questioned by a law enforcement officer."**

The parties stipulated that:

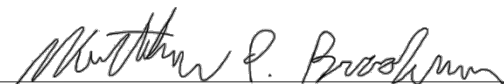
- (a) The highest grade of violation is a Grade **C** violation.  
(b) Defendant's criminal history category is **VI**.  
(c) The range of imprisonment applicable upon revocation of supervised release, therefore, is **8 to 14** months' imprisonment.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions No. 3 and 4 in the petition, that his supervised release should be revoked, that he be sentenced to time served, with no further supervision to follow.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge.

The parties waived the fourteen-day period to object to the Report and Recommendation.

Dated: February 18, 2022



Matthew P. Brookman  
United States Magistrate Judge  
Southern District of Indiana

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